

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

GREGORY ROBINSON.	§	
Plaintiff,	§	
	§	
v.	§	No. 3:19-cv-1507-C (BT)
	§	
DALLAS COUNTY JAIL FACILITY, <i>et</i>	§	
<i>al.</i>	§	
Defendants.	§	

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

The Plaintiff, Gregory Robinson, filed a document that the Court has construed as a motion for leave to proceed *in forma pauperis* (“IFP”) on appeal. *See* Doc. 33. The United States Magistrate Judge issued findings, conclusions, and a recommendation that the motion should be denied. Doc. 34.

The Court accepts the recommendation after reviewing it in accordance with 28 U.S.C. § 636(b)(1). The court **denies** Plaintiff’s motion for leave to appeal *in forma pauperis* (“IFP”) [Doc. 33] and **certifies**, under 28 U.S.C. § 1915(a)(3), and as fully explained in the magistrate judge’s recommendation [Docs. 29, 34], that the appeal is not taken in good faith.

Although this court has certified that the appeal is not taken in good faith, Plaintiff may challenge this finding under *Baugh v. Taylor*, 117 F.3d 197 (5th Cir. 1997), by filing a separate motion to proceed IFP on appeal with the Clerk of the Court, U.S. Court of Appeals for the Fifth Circuit, within 30 days of this order.

Further, because Plaintiff is incarcerated and is appealing an unfavorable judgment in a civil action, the Court notes that the Prison Litigation Reform Act applies and that the full filing fee to initiate this appeal is **\$505.00**.

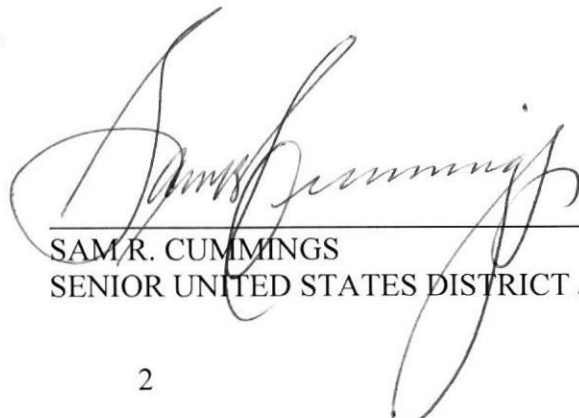
The Court assesses an initial partial filing fee of **\$0.00**. The agency having custody of Plaintiff shall collect this amount from the trust fund account or institutional equivalent, when funds are available, and forward it to the clerk of the district court. *See* 28 U.S.C. § 1915(b)(1). Thereafter, Plaintiff shall pay **\$505.00**, the balance of the filing fee, in periodic installments. And he is required to make payments of **20%** of the preceding month's income credited to his prison account, provided the account exceeds **\$10.00**, until he has paid the total filing fee of **\$505.00**.

The agency having custody of Plaintiff shall collect this amount from the trust fund account or institutional equivalent when funds are available and when permitted by 28 U.S.C. § 1915(b)(2) and forward it to the clerk of the district court.

If Plaintiff moves in the court of appeals to proceed on appeal IFP, the Clerk **shall** send a copy of this order to the inmate accounting office or other person(s) or entity with responsibility for collecting and remitting to the district court interim filing payments on behalf of prisoners, as designated by the facility in which the prisoner is currently or subsequently confined.

SO ORDERED.

Dated August 15, 2022.

  
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SAM R. CUMMINGS  
SENIOR UNITED STATES DISTRICT JUDGE